



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

CHARLES A. PEYSER et al. /

Group Art Unit: 3625

Application No.: 09/390,025 /

Examiner: Bonderer, David A.

Filed: September 3, 1999

For: SYSTEMS AND METHODS FOR AGGREGATING BUYERS FOR
THE PURCHASE OF TELECOMMUNICATION SERVICES VIA A NETWORK

RESUBMISSION OF STATEMENT UNDER 37 C.F.R. § 3.73(b)
WITH COPIES OF ASSIGNMENT DOCUMENTS

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith a copy of the executed Statement Under 37 C.F.R. § 3.73(b) along with copies of the executed Assignment documents to establish the chain of title from the inventors of the above-captioned application to the current assignee identified in the attached copy of the Assignment document.

Applicants' submission of the Statement bearing original signature on January 9, 2003 did not include copies of the Assignment documents as indicated on the Statement. Since the January 9, 2003 submission, Applicants have submitted the Assignment documents for recordation.

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acknowledgment
Doc.
PH
3/27/03

If the Examiner has any questions regarding this submission or if an interview at this time would further the progress of this application to a favorable conclusion, please contact the undersigned at the telephone number provided.

Respectfully submitted,

Date: March 10, 2003

By: 

J. Clay Matthews, Ph.D.
Reg. No. 50,735

Patton Boggs, LLP
8484 Westpark Drive
McLean, VA 22102
Telephone: (703) 744-8055
Fax: (703) 744-8091

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: InPhonic, Inc. (020748.0102)Application No./Patent No.: 09/390,025Filed/Issue Date: September 3, 1999Entitled: Systems And Methods For Aggregating Buyers For The Purchase of Telecommunication Services Via A NetworkInPhonic, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Peyser et al. To: TelecomXchange, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 010227, Frame 0799, or for which a copy thereof is attached.

2. From: TelecomXchange, Inc. To: Simplexity, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: Simplexity, Inc. To: InPhonic, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

12/12/02
Date

Walter W. Leach, III
Signature

Walter W. Leach, III
Typed or printed name

General Counsel
Title

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Atty.: KMC:sag

DUE DATE: March 6, 2003

Applicants: Charles A. PEYSER et al.

U.S. Patent or Application Serial Nos: 60/138,509, 09/390,025, 09/390,026 and

09/425,739

Filing Date: March 6, 2003

Delivered Via: Handcarry (Speedy Courier)

The following has been received in the U.S. Patent Office on the date stamped hereon:

- | | | |
|---|---|--|
| <input type="checkbox"/> Specification _____ Pages | <input type="checkbox"/> Petition for Extension of Time | <input type="checkbox"/> List of Related Cases |
| <input type="checkbox"/> Drawings _____ Sheets _____ Figs. | <input checked="" type="checkbox"/> Assignment of TelecomXchange, Inc. to Simplicity, Inc. (2 pages and coversheet) | <input type="checkbox"/> Search Report |
| <input type="checkbox"/> Combined Declaration & Power of Attorney | <input type="checkbox"/> Priority Doc. () | <input type="checkbox"/> Restriction/Election Response |
| <input type="checkbox"/> Utility Patent Application Transmittal | <input type="checkbox"/> Notice of Missing Parts (PTO COPY) | <input type="checkbox"/> Response to Non-Final Office |
| <input type="checkbox"/> Continued Prosecution Application | <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Request for Continued Examination | <input type="checkbox"/> Letter to Official Draftsman | <input type="checkbox"/> Appeal Brief |
| <input type="checkbox"/> Request for Reexamination Transmittal | <input type="checkbox"/> Request Approval of Drawing Changes | <input type="checkbox"/> Rule 132 Declaration |
| <input type="checkbox"/> Certificate of Mailing Under § 1.8 | <input type="checkbox"/> Red Lined Drawings _____ sheets | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Transmittal Form | <input type="checkbox"/> Request for Reexamination | <input type="checkbox"/> Request for Approval of Proposed Drawing Changes |
| <input type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Submission in Accordance of 37 CFR § 1.34 and MPEP § 405, Recognition for Representation/Attorney Not of Record |
| <input checked="" type="checkbox"/> Check No. 93 in the amount of \$160 | <input type="checkbox"/> PTO-1449 w/ Documents | |

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RECORDATION FORM COVER SHEET

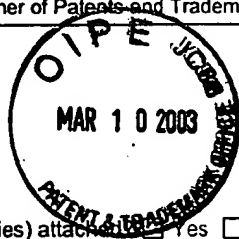
U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies):
TelecomXchange, Inc.



Additional name of conveying party(ies) attached? ☐ Yes ☐ No

2. Name and address of receiving party(ies)

Name: Simplexity, Inc.

Internal Address: _____

Street Address: 460 Herndon Parkway

Suite 155

City: Herndon State: VA Zip: 20170

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Execution Date: December 17, 2002

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

60/138,509

09/425,739

09/390,025

09/390,026

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Marc R. Labgold, Ph.D.

Internal Address: _____

Street Address: 8484 Westpark Drive

Suite 900

City: McLean State: VA Zip: 22102

6. Total number of applications and patents involved: 4

7. Total fee (37 CFR 3.41) \$ 160.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number: _____

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kristina M. Castellano
Name of Person Signing

Kristina M. Castellano
Signature (Reg # 41,092)

March 6, 2003
Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:
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Washington, D.C. 20231

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ASSIGNMENT

Atty. Docket Nos. 020748.0102, 020748.0103 and 020748.0104

WHEREAS, TelecomXchange, Inc., a corporation of the state of California whose post office address is 7 Arrowwood Terrace, Bethesda, MD, hereinafter referred to as Assignor, has been assigned the following United States patent applications by the respective inventors thereof:

- (1) Methods For Providing Telecommunications Service Buying And Selling Via The Internet, filed on June 10, 1999 and assigned Serial No. 60/138,509;
- (2) Systems And Methods For Buying And Selling Telecommunication Services Via A Network, filed on September 3, 1999 and assigned Serial No. 09/390,026 (recorded on September 3, 1999 at Reel 010227; Frame 0802);
- (3) Systems And Methods For Aggregating Buyers For The Purchase Of Telecommunication Services Via A Network, filed on September 3, 1999 and assigned Serial No. 09/390,025 (recorded on September 3, 1999 at Reel 010227; Frame 0799); and
- (4) Systems And Methods For Distributing Telecommunication Services Via A Network, filed on October 22, 1999 and assigned Serial No. 09/425,739 (recorded on October 22, 1999 at Reel 010342; Frame 0617).

WHEREAS, Simplexity, Inc., hereinafter referred to as Assignee, whose mailing address is 480 Herndon Parkway, Suite 155, Herndon, Virginia 20170, acquired the entire right, title and interest in the same on Nov 18, 1999;

THEREFORE, for good and valuable consideration, the receipt and adequacy thereof is hereby acknowledged, Assignor presents, assigns and transfers unto Assignee and its successors in interest, the full and exclusive right, title and interest in the United States of America and all foreign countries, including the right to claim priority under the laws of the United States, the Paris Convention, and any foreign countries, to the said inventions as described in the aforesaid applications, said applications for patent and all Letters Patent therefor to be held and enjoyed by Assignee to the full end of the term for which said Letters Patent are granted and any extensions thereof as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made, and the right to recover for past infringements of, or liabilities for, any of the rights relating to any of said applications or patents resulting therefrom;

Assignor hereby covenants and agrees to execute all instruments or documents required or requested for the making and prosecution of any applications of any type for patent in the United States and in all foreign countries including, but not limited to, any provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to letters patent any reissue, re-examination, or extension thereof, and for litigation regarding, or for the purpose of protecting title and to the said invention, the United States application for patent, or Letters Patent therefor, and to testify in support thereof, for the benefit of Assignee without further or other compensation than that above set forth;

Assignor hereby covenants that no assignment, sale or agreement or encumbrance has been or will be entered into which would conflict with this Assignment; and

Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States of America to Assignee or its successor(s) in interest and requests that any official of any country or countries foreign to the United States, whose duty it is to issue or grant patents and applications as aforesaid, to issue said Letters Patent, Utility Model Registration or Inventor's Certificate to Assignee or its successor(s) in interest.

The undersigned hereby grant(s) the law firm of Patton Boggs LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

ASSIGNMENTExecuted this 17 day of Dec, 2002,at 11:30pm.Charles A. Leyer
(Signature)State of Virginia) SS:County of Fairfax)Before me personally appeared said Charles A. Leyerand acknowledged the foregoing instrument to be his free act and deed this 17
day of Dec, 2002.

Seal

Christine Anderson
(Notary Public)

I was originally commissioned as Christine Reber

My Commission Expires October 31, 2002



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To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies)
Simplicity, Inc.



Additional name of conveying party(ies) attached? ☐ Yes ☐ No

2. Name and address of receiving party(ies)

Name: InPhonic, Inc.

Internal Address:

Street Address: 1010 Wisconsin Avenue NW

Suite 250

City: Washington State: DC Zip: 20007

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: December 17, 2002

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

60/138,509 09/425,739
09/390,025
09/390,026

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Marc R. Labgold, Ph.D.

Internal Address:

Street Address: 8484 Westpark Drive

Suite 900

City: McLean State: VA Zip: 22102

6. Total number of applications and patents involved: 2

7. Total fee (37 CFR 3.41)\$ 160.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kristina M. Castellano
Name of Person Signing

Kristina M. Castellano
Signature

March 6, 2003
Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

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Atty.: KMC:sag

DUE DATE: March 6, 2003

Applicants: Charles A. PEYSER et al.

U.S. Patent or Application Serial Nos: 60/138,509, 09/390,025, 09/390,026 and

09/425,739

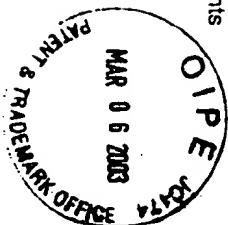
Filing Date: March 6, 2003

Delivered Via: Handcarry (Speedy Courier)

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Specification _____ Pages
- ☐ Drawings _____ Sheets _____ Figs.
- ☐ Combined Declaration & Power of Attorney
- ☐ Utility Patent Application Transmittal
- ☐ Continued Prosecution Application
- ☐ Request for Continued Examination
- ☐ Request for Reexamination Transmittal
- ☐ Certificate of Mailing Under § 1.8
- ☐ Transmittal Form
- ☐ Fee Transmittal
- ☒ Check No. 92 in the amount of \$160
- ☐ Petition for Extension of Time
- ☒ Assignment of Simplicity, Inc. to InPhonic, Inc. (2 pages and coversheet)
- ☐ Priority Doc. ()
- ☐ Notice of Missing Parts (PTO COPY)
- ☐ Preliminary Amendment
- ☐ Letter to Official Draftsman
- ☐ Request Approval of Drawing Changes
- ☐ Red Lined Drawings _____ sheets
- ☐ Request for Reexamination
- ☐ Information Disclosure Statement
- ☐ PTO-1449 w/ Documents
- ☐ List of Related Cases
- ☐ Search Report
- ☐ Restriction/Election Response
- ☐ Response to Non-Final Office
- ☐ Notice of Appeal
- ☐ Appeal Brief
- ☐ Rule 132 Declaration
- ☐ Issue Fee Transmittal
- ☐ Request for Approval of Proposed Drawing Changes
- ☐ Submission in Accordance of 37 CFR § 1.34 and MPEP § 405, Recognition for Representation/Attorney Not of Record

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ASSIGNMENT

Atty. Docket Nos 020748.0102, 020748.0103 and 020748.0104

WHEREAS, Simplexity, Inc. of Herndon, VA hereinafter referred to as Assignor, has been assigned the following United States patent applications by their prior owner, TelecomXchange, Inc. pursuant to an Assignment dated Dec 17, 02:

- (1) Methods For Providing Telecommunications Service Buying And Selling Via The Internet, filed on June 10, 1999 and assigned Serial No. 80/138,509;
- (2) Systems And Methods For Buying And Selling Telecommunication Services Via A Network, filed on September 3, 1999 and assigned Serial No. 09/390,028;
- (3) Systems And Methods For Aggregating Buyers For The Purchase Of Telecommunication Services Via A Network, filed on September 3, 1999 and assigned Serial No. 09/390,025; and
- (4) Systems And Methods For Distributing Telecommunication Services Via A Network, filed on October 22, 1999 and assigned Serial No. 09/425,739;

WHEREAS, InPhonic, Inc., hereinafter referred to as Assignee, whose mailing address is 1010 Wisconsin Avenue NW, Suite 250, Washington, DC 20007, acquired the entire right, title and interest in the same on Feb 26, 2002 date:

THEREFORE, for good and valuable consideration, the receipt and adequacy thereof is hereby acknowledged, Assignor presents, assigns and transfers unto Assignee and its successors in interest, the full and exclusive right, title and interest in the United States of America and all foreign countries, including the right to claim priority under the laws of the United States, the Paris Convention, and any foreign countries, to the said inventions as described in the aforesaid applications, said applications for patent and all Letters Patent therefor to be held and enjoyed by Assignee to the full end of the term for which said Letters Patent are granted and any extensions thereof as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made, and the right to recover for past infringements of, or liabilities for, any of the rights relating to any of said applications or patents resulting therefrom;

Assignor hereby covenants and agrees to execute all instruments or documents required or requested for the making and prosecution of any applications of any type for patent in the United States and in all foreign countries including, but not limited to, any provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to letters patent any reissue, re-examination, or extension thereof, and for litigation regarding, or for the purpose of protecting title and to the said invention, the United States application for patent, or Letters Patent therefor, and to testify in support thereof, for the benefit of Assignee without further or other compensation than that above set forth;

Assignor hereby covenants that no assignment, sale or agreement or encumbrance has been or will be entered into which would conflict with this Assignment; and

Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States of America to Assignee or its successor(s) in interest and requests that any official of any country or countries foreign to the United States, whose duty it is to issue or grant patents and applications as aforesaid, to issue said Letters Patent, Utility Model Registration or Inventor's Certificate to Assignee or its successor(s) interest.

The undersigned hereby grant(s) the law firm of Patton Boggs LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

ASSIGNMENTExecuted this 17 day of Dec 2002.at 11:30 AM.Charles A. Beyer
(Signature)State of Virginia) SS:County of Fairfax)Before me personally appeared said Charles A. Beyerand acknowledged the foregoing instrument to be his free act and deed this 12
day of Dec, 2002.

Seal

Christine Anderson
(Notary Public)

I was originally commissioned as Christine Rebez

My Commission Expires October 31, 2004





3625

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/390,025	
	Filing Date	September 3, 1999	
	First Named Inventor	Charles A. PEYSER et al.	
	Group Art Unit	3625	
	Examiner Name	David A. Bonderer	
Total Number of Pages in This Submission		Attorney Docket Number	020748.0102

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> (1) Resubmission of Statement Under 37 C.F.R. 3.73(b) with Copies of Assignment Documents (2 pages); and (2) Statement Under 37 C.F.R. 3.73(b) with copies of Assignment Documents (7 pages)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	J. Clay Matthews, Ph.D., Reg. No. 50,735 Patton Boggs, LLP
Signature	
Date	January 9, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark